



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

*June 27, 1997*

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Lorna Kuney, Treasurer  
Montanans for Rehberg  
P.O. Box 6547  
Helena, Montana 59604-9904

RE: MUR 4378

Dear Ms. Kuney:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission has issued the attached subpoena and order which requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena and order. However, you are required to

submit the information within 30 days of your receipt of this subpoena and order. All answers to questions must be submitted under oath.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,

A handwritten signature in cursive script that reads "Anne Weissenborn by Mary".

Anne Weissenborn  
Attorney

Enclosure  
Subpoena and Order

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of

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MUR 4378

**ORDER TO SUBMIT WRITTEN ANSWERS**  
**SUBPOENA TO PRODUCE DOCUMENTS**


TO: Montanans for Rehberg  
Lorna Kuney, Treasurer  
P.O. Box 6547  
Helena, Montana 59604-9904

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.


Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, NW, Washington, DC 20463, along with the requested documents within thirty days of your receipt of this Order and Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his  
hand in Washington, D.C. on this *27th* day of *June*, 1997.

For the Commission,

  
John Warren McGarry  
Chairman

ATTEST:

  
Marjorie W. Emmons  
Secretary to the Commission

Attachment

Questions and Request for Production of Documents with  
Instructions and Definitions

## **INSTRUCTIONS**

In answering these requests for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Should you claim a privilege with respect to any documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1995 to July 1, 1996.

The following requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation, if you obtain further or different information prior to or during the pendency of this matter

## **DEFINITIONS**

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, records of wire transfers, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained. For all types of documentary records requested, if any of these records are maintained on any storage format for computerized information (e.g., hard drive, floppy disk, CD-ROM),

provide copies of the records as maintained on that storage format in addition to hard (i.e., paper) copies.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, and the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses, the telephone numbers, the present occupation or position of such person, and the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

### **INTERROGATORIES**

1. Identify by meeting all persons employed by, or serving as officers and/or volunteers with, Montanans for Rehberg who attended meetings with representatives of the National Republican Senatorial Committee ("the NRSC") in Washington, DC or elsewhere in 1995 and 1996 prior to the nomination of Dennis R. Rehberg to the Office of U.S. Senator from the State of Montana, including, but not limited to, meetings held in July, 1995 and on May 1, 1996.
2. Identify by meeting all persons employed by, or serving as officers and/or volunteers with, the NRSC who attended meetings with Dennis R. Rehberg and/or other representatives of Montanans for Rehberg in Washington, DC or elsewhere in 1995 and 1996, prior to the nomination of Dennis R. Rehberg to the Office of U.S. Senator from the State of Montana, including, but not limited to, meetings held in July, 1995 and on May 1, 1996.
3. Identify all persons employed by, or serving as officers and/or volunteers with, Montanans for Rehberg who engaged in telephone and/or written contacts with representatives of the NRSC in 1995 and 1996, prior to the nomination of Dennis R. Rehberg to the Office of U.S. Senator from the State of Montana. Identify the representatives of the NRSC with whom these contacts were made.
4. Identify all persons employed by, or serving as officers and/or volunteers with, the NRSC who were involved in arrangements for a fundraising event held by or for Montanans for Rehberg at the Ronald Reagan Republican Center in Washington, DC on May 1, 1996.

5. Identify all persons representing Montanans for Rehberg who were involved in planning and carrying out fundraising events for the committee in Washington, DC, including the events held on October 14, 1995 and March 21, 1996.
6. Identify the production company employed by Montanans for Rehberg which produced a radio advertisement supporting the candidacy of Dennis R. Rehberg in 1996, one script for which included a disclaimer stating that the advertisement was being paid for by the NRSC.

### **REQUEST FOR DOCUMENTS**

1. Produce all documents that in any way relate or refer to the production and placement by the NRSC of advertisements on radio and television stations in the State of Montana during the months of April and May, 1996, including, but not limited to, advertisements with scripts designated "Pay, Taxes" (Baucus) and "1974-Baucus." Documents produced should include, but not be limited to, electronic transfers, bank checks, radio and television order forms, purchase orders, invoices, contracts, telecommunication transmittal sheets, memos, telephone messages, telephone logs, electronic mail messages, notes, correspondence and memoranda.
2. Produce all documents that in any way contain, or refer or relate to, any and all communications and meetings in 1995 and 1996 between any officer, employee or consultant of the NRSC and Dennis R. Rehberg, and/or between any officer employee or consultant of the NRSC and any officer, employee, consultant, or volunteer of the Montanans for Rehberg Committee, including meetings between NRSC representatives and Dennis R. Rehberg held in Washington, DC in July, 1995, and on May 1, 1996.
3. Produce all documents that in any way contain, or refer or relate to, fundraising events held by Montanans for Rehberg in Washington, DC on October 14, 1995 and March 21, 1996, the latter at the Ronald Reagan Republican Center, 425 Second Street, NE.
4. Produce all calendars, appointment books, daily logs or diaries kept in 1995 and 1996 by or for all persons identified in answers to Interrogatories 1 and 3.